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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,545	03/28/2001	Shuntaro Aratani	35.C15233	9431
5514 7590 01/07/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER SALCE, JASON P	
			ART UNIT 2623	PAPER NUMBER
			MAIL DATE 01/07/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/818,545

Applicant(s)

ARATANI ET AL.

Examiner

Jason P. Salce

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 77-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 77-90 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 77-79, 81-86 and 88-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (U.S. Patent No. 5,978,013) in view of Walkingshaw et al. (U.S. Patent No. 5,978,013).

Referring to claims 77 and 84, Jones discloses a data-broadcasting receiving apparatus (**see Figures 3-4 for two different types (antenna and cable) of data-broadcasting receiving devices**).

Jones also discloses a receiving means for receiving data-broadcasting data including a plurality of contents (**see antenna 133 or cable input to tuner 76 in Figures 3-4**).

Jones also discloses extracting means for automatically extracting information from the data-broadcasting data received by said receiving means (**see tuner 76 in Figures 3-4 and Column 7, Line 53 through Column 8, Line 23 for receiving coupon data from CC decoder 84, which received the tuned channel from tuner 76 in Figure 3**), in accordance with a predetermined condition (**see Column 8, Lines 5-12 for selecting a channel for the tuner to tune to and process the coupon data**).

Jones also discloses generating means for laying out the information extracted by said extracting means by calculating a printing position (**see Column 6, Lines 64 through Column 7, Line 15 for receiving the coupon data and Column 9, Line 49 through Column 10, Line 6 for processing the coupon data and calculating the printing position by properly storing each portion of coupon data into specific portions of image memory (see Column 10, Lines 4-6))** in accordance with a predetermined expression (**see again Column 9, Lines 49 through Column 10, Line 6 for calculating the printing position according to the specific coupon data (predetermined expressions) received**), and generating print data for printing out the laid-out information (**see Column 10, Lines 16-18**).

Jones also discloses output means for outputting to a printing means the print data generated by said generating means (**see Column 10, Lines 22-30**).

Jones fails to disclose that the coupon information contains categories and that coupons can be printed in accordance with a category.

Walkingshaw discloses that coupons can be classified into categories and contain category information and that coupons can be printed in accordance with a category (**see Column 3, Line 59 through Column 4, Line 3**).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the coupon reception and printing system, as taught by Jones, using the category based reception and printing system, as taught by Walkingshaw, for the purpose of providing coupons that are further targeted towards the user's interests (**see Column 3, Lines 45-48 of Walkingshaw**).

Referring to claims 78 and 85, Walkingshaw discloses only extracting coupons according to user preferences (**see again Column 3, Lines 59 through Column 4, Line 3**), therefore clearly teaching extracting a predetermined number of contents for every category in accordance with said predetermined condition.

Referring to claims 79 and 86, Jones discloses that each of said content includes text information (**see Figure 9**).

Referring to claims 81 and 88, Jones discloses a processing means for executing a predetermined process on each of said content (**see Column 10, Lines 16-25 for printing coupons**).

Jones also discloses assigning means for automatically assigning a unique code to each of said content extracted by said extracting means, said unique code effecting the execution of the predetermined process corresponding to each of said content (**Column 9, Line 49 through Column 10, Line 6 for assigning codes to the coupon images in memory based on the coupon data extracted by the extracting means**).

Referring to claims 82 and 89, Jones and Walkingshaw disclose all of the limitations in claims 81 and 88, respectively, but fail to teach that the assigning means assigns a numerical code to each of said content extracted by said extracting means so

that the assigned numerical code becomes smaller as the priority of each said content becomes higher.

The examiner takes Official Notice to the fact that printing queues or stacks are capable of printing in order of assigned priority, where an assigned code will become smaller as the priority for the next content item to be printed becomes higher.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the printing system, as taught by Jones and Walkingshaw, using a printing queue, described by the examiner's Official Notice, for the purpose of allowing a printing system to efficiently print information according to a preferred priority.

Referring to claims 83 and 90, Jones discloses that the predetermined process corresponding to each of said content is a program execution process (**see Column 10, Lines 16-25 for printing coupons**).

Claims 80 and 87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (U.S. Patent No. 5,978,013) in view of Walkingshaw et al. (U.S. Patent No. 5,978,013) in further view of Lawler et al. (U.S. Patent No. 5,699,107).

Referring to claims 80 and 87, Jones discloses all of the limitation in claim 77 and 84, respectively. However, Jones and Walkingshaw fail to disclose a reservation setting means for reserving an operation of said receiving means so as to receive the data-broadcasting data at a predetermined time.

Lawler discloses allowing a viewer to set a reminder to view a program and when the time of the program is determined, tuning the tuner to the preferred program to viewer at the predetermined time (see Column 11, Line 30 through Column 13, Line 16).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the broadcast receiving device, as taught by Jones and Walkingshaw, using the reminder functionality, as taught by Lawler, for the purpose of allowing a user to quickly and easily select a future program for later reminding (see Column 1, Lines 11-12 and Column 2, Lines 9-10 of Lawler).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (571) 272-7301. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Salce
Primary Examiner
Art Unit 2623

January 3, 2007

JASON SALCE
PRIMARY PATENT EXAMINER

Handwritten signature of Jason P. Salce in black ink.